

JAN 03 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *H. McDermott*
DEPUTY CLERK

JEROME MALLORY,
Petitioner,

v.

DIRECTOR OF THE
DEPARTMENT OF CORRECTIONS,
Respondent.

) Civil Action No. 7:12-cv-00363
)
)
)

ORDER

)
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)
)
) By: Hon. Jackson L. Kiser
Senior United States District Judge

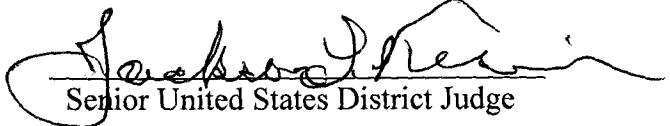
In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that respondent's motion to dismiss is **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to petitioner and counsel of record for respondent.

ENTER: This 3rd day of Jan., 2013.
~~December, 2012.~~


Senior United States District Judge